

SALOON MEN'S HAND LUCK

Cases Where the Cairns Decision Will Work Apparent Injustice.

Ranken Will Have to Quit Because a Congregation Recently Became His Neighbor.

KLEIN IS TOO NEAR THE GATE.

No Churchgoers Use It, but That Will Make No Difference—Hotz Sees a Way Out of His Dilemma by Appealing to the Law.

The decision of the Court of Appeals in the case of Cairns vs. the Board of Excise, prohibiting the existence of a saloon within two hundred feet of a church or school-house, continues to cause no end of trouble to the counsel and members of the Board here.

An instance of the hardship and injustice the decision will work was cited yesterday in the case of Albert Ranken, of No. 119 Second avenue. He paid \$14,500 for the place, fixtures, etc., and now has to sacrifice it because a congregation has been fit to locate near him. He has been there for years, but this fact does not exempt him.

"This man has vested rights," Commissioner Julius Harburger said yesterday, "but they must be scattered to the winds. He is only one of over 1,500 similarly situated."

Another case to which particular attention has been called is that of Michael Klein, of No. 109 West Houston street, which is at the corner of Thompson street. The place has been licensed for fifteen years, and some \$2,500 worth of improvements were recently added. Back of the saloon, on Sullivan street, is a Roman Catholic church. The priest's house and a mortuary are immediately behind the church and front on Thompson street.

ONE GATE IN THE WAY.

There are two gates to the house, and one of them is within 175 feet of Klein's saloon. This fact will cause the closing of the saloon. A special report was made by Inspector Carroll, in which he says he watched the gate nearest the saloon last Sunday from 9:30 to 11 o'clock in the morning. He saw no one enter the gate, which is only designed and made use of by the help employed in the priest's house.

A case which is puzzling Counsel Mayer, of the Board, is that of Edward Hotz, of No. 12 St. Mark's place. He invested some \$74,000 in the construction of what is known as Schuetzen Hall, which has had a license for eight years. A Hebrew Christian Church leased a building within two hundred feet of the hall, and it is claimed that Hotz will have to give up the license as a consequence. He will not do so without a struggle, and has made two important discoveries which he thinks will affect his case.

One is that the decision designates a church as "a place devoted exclusively to religious" purposes. The church in question is devoted to converting Hebrews to Christianity, and uses one floor for lodging-house purposes, in which destitute penitents are cared for. Mr. Hotz believes that the lodging-house floor will be the means of saving him from many wyes take the same view.

One of the first ones to be closed under the new law is George A. Wood, at the northeast corner of Seventh avenue and Thirtieth street. Yesterday it was closed tight for the first time in years, except on Sunday. The saloon has always done a profitable business, and was one of the best-known resorts in the Ninth Ward.

Across the way is the Central M. E. Church, the pastor of which is Rev. Dr. Cadman. It is a bitter foe of saloons. To the south on Seventh avenue, within the 200-foot limit, is the Seventh Avenue M. E. Church, while a few doors away from the saloon on Thirteenth street is the Thirteenth Street Presbyterian Church. Its Rev. pastor has just expired, and the proprietor of the Excise Board will not renew it.

"My enabling act will come up before the Committee on Excise of the Assembly next week," Commissioner Harburger said yesterday, "and I am going to make an argument tending to demonstrate to the committee the necessity for immediate action. This decision will work untold injury to hundreds of families, and is not in keeping with American ideas of justice." Mayor Wood says that the decision is wrong and unjust. It would be the means of shutting thousands of families out of their homes and cause untold misery and suffering.

Delegation of women yesterday called on President Murray, of the Excise Board. Miss Morehouse, who is largely engaged in benevolent work, read an address requesting him to do all in his power toward the closing of the saloons on Sunday.

ALDERMEN LIKE FORD'S BILL.

Will Ask Legislators to Pass it with a "Side Door" Amendment.

The Excise Committee of the Board of Aldermen will have held several public hearings on the subject of Sunday opening, but in executive session yesterday afternoon and decided to ask the Legislature to pass the bill introduced by Senator John Ford, of this city.

This bill was drawn up by the Excise Reform Association and was approved by the members of the board. It would prohibit saloons from 1 to 10 o'clock p. m., and the question shall be submitted to the voters of cities of the first class at a special election, to be held on Tuesday, April 28, of this year.

The Aldermen favor an amendment to this bill which will simply open the side doors during the hours above mentioned.

ST. MARY'S MANAGERS FIRM.

But No Date Set for the Fair That Was to Be at Mrs. Belmont's.

No date has yet been set for holding the postponed musicale that was to be given in aid of St. Mary's Free Hospital for children yesterday at the residence of Mrs. Oliver H. P. Belmont. It is not likely to take place until next spring.

The postponement is due to a general disapproval among the managers and hospital at a meeting which was held last Thursday at the residence of Mrs. Richard L. W. Belmont, No. 12 West Thirty-sixth street. They unanimously agreed that the church society could not have a concert at the home of a woman who had been married contrary to the laws of the church.

The charity concert had been arranged by some of the most exclusive members of the society. Many of the managers, including Quartet and Victor Herbert were among those who had volunteered their services. The concert was to be given at 8 p. m.

When Mrs. Belmont was Mrs. Vanderbilt and offered her house, No. 24 East Seventy-second street, for the concert, it was suggested with pleasure by the managers, but when Mrs. Vanderbilt became Mrs. Belmont by the grace of the Mayor, the managers saw matters in a different light. They met and discussed, and the discussion became so animated that Mrs. William Belmont, who is an intimate friend of Mrs. Belmont, got up and left.

McGarry Not the Driver.

Cabman McGarry, who is the driver of the Union League Club stables, was not handling the reins on Monday night last, when an accident happened to Mayor Strong's cab in front of the Union League Club. Harry Tones, another cabman, answered the call, and was driving at the time of the accident.

A Stubbish Cough that will not yield to ordinary remedies may be thoroughly cured by Dr. J. C. Jay's Sensitive.

A FIFTEEN YEARS' DRUNK.

Witnesses in the Elly Will Contest Say He Drank a Gallon of Whiskey a Week.

The contest over the will of John B. Elly, the distiller, who left \$300,000, but practically disinherited his widow, was continued before the Surrogate in Brooklyn yesterday. Mrs. Elly said Elly, his mother, his sister and his brother had been inmates of insane asylums.

Miss Caroline Lott, Mrs. Elly's sister, said that Elly once forced her to go out to the barn at night and sit on a steer's back while he fed the cattle.

Alvan D. Hendrickson, Elly's brother-in-law, said the deceased was drunk for fifteen years. He would open his distillery Sunday and curse like an Arabian pirate because no one was working. Mrs. Catharine Devens, another witness, said that Elly drank over a gallon of whiskey every week. She said she had seen him chase her across fields and throw money out of the windows.

Stiles Macready, who managed a hotel in 1880, when Elly was a guest, said the other guests united in a protest against Elly, declaring that they would leave unless he stopped swearing. The case was not finished.

TRIED AND FOUND WANTING.

Acting Captains to Be Remanded to the Duties of Sergeant.

There is much speculation in the Police Department as to the identity of the acting captains who are to be remanded back to duty because of their inefficiency to command. It is understood at Police Headquarters that three acting captains, and perhaps a fourth, who have not shown ability to occupy executive positions, are scheduled for reduction to sergeants' work.

In the precincts of these men no marked improvement has been noted, according to the evidence which, it is said, has been supplied to the Commissioner by the trusted policemen who have been sent from Headquarters to the various precincts for that purpose.

Just what the Commissioner desires to have by personal investigation satisfied themselves that these particular sergeants do not possess the stuff of which good captains are made. The removals will be announced in a few days.

Just what the Police Commissioners desired Sergeant Wiegand from temporary command of the West One Hundred and Fifty-second Street Station, and remanded him back to duty, is a puzzle to the department. He has all along been regarded as a likely candidate for a captaincy and is said to be a good officer.

Turning Loose the Tramps. Police Think the Magistrates Are Doing Too Much of It.

Within three weeks 147 persons arrested for begging and vagrancy were released by the City Magistrates and turned loose to practise over again the very offences for which they had been apprehended. Chief Conlin yesterday furnished some statistics on the subject. The figures are compiled from precinct returns, and include the first three months of the new year.

Within this period a large number of sneak thieves, several highway robberies and burglaries were committed. The police seek to show that the tramps were the transgressors.

In the three weeks 355 "vag" arrests were made. Of these 129 were sent to the workhouse, the rest being released, "with an apparent license to beg," as Chief Conlin says. The majority that were sent to the workhouse were released in a few days and prepared to make another raid upon the charitable.

BOTH FINED FOR ASSAULT.

Joseph Schmidt and John Kunzweiler Quarrel and Land in Court.

Joseph Schmidt, a son of a former Williamsburg Alderman, was charged by his mother-in-law, Mrs. Julia Kunzweiler, of No. 238 Boerum street, in the Even Street Police Court yesterday, with assault.

Schmidt was married eighteen months ago, and lately, while his wife was ill, it is alleged, he insisted upon her attending church with him. She did so, and her illness was aggravated by the exposure, and two weeks ago she died.

During her illness the young wife was cared for at her mother's home. When Schmidt went to the home to see her, he says he was refused admittance. It was then that the alleged assault was committed, Schmidt is now in the workhouse on a night of thirty by John Kunzweiler, a nephew of his mother-in-law. Both men were fined \$25.

TO SAVE THE PALISADES.

Bills in Two Legislatures and in Congress Expected to Pass.

The joint commission of the States of New York and New Jersey to secure the Palisades of the Hudson against further mutilation and to procure their purchase by the United States Government for a military park is pushing a bill providing for the cession of the land in the State of New York to the United States on the condition of its acquiring title to the same. It has passed the Senate, and is expected will pass the Assembly in a few days.

In the New Jersey Legislature a similar bill was introduced on the first day of this month, and the Commissioners anticipate its passage.

In the House of Representatives a bill authorizing the purchase by the Government of the 2,000 acres between the Hudson River and the Boulevard has been introduced by B. F. Fairchild and referred to the Committee on Military Affairs, which will report it favorably.

UHLMANN'S EAST RIVER BRIDGE

Says He Will Build It as Soon as He Can Raise the Money.

President Frederick Uhlmann, of the Brooklyn Elevated Railroad Company, said yesterday that he intends to build a bridge across the East River from Hudson avenue, Brooklyn, to Grand street, this city. He secured a charter in 1892 and says he is trying to get the necessary capital.

Mr. Uhlmann says he proposes to make provision for trolley and elevated roads on his bridge and to secure a franchise for an elevated cross-town line in this city.

New Rules for Naturalization.

The Appellate Division of the Supreme Court in Brooklyn yesterday adopted new rules to govern the applications of aliens who wish to become citizens. The rules will apply to all the counties of the State, except Kings, Queens, Suffolk, Westchester, Rockland, Orange, Putnam, Richmond and Dutchess.

Dr. Parks Will Not Go to Brooklyn. Rev. Dr. Leighton Parks, of the Emmanuel Episcopal Church, Boston, yesterday declined the invitation to become rector of the Holy Trinity Church, Brooklyn.

Met Death at the Crossing. Censured. N. Y., Jan. 23.—Last night, at about 10, was passing through this place it struck and killed Henry McKay and his team while crossing. McKay leaves a wife and two children.

HE SWORE AT A TEACHER.

Christopher Smith, a Flatbush Boy, Arrested and Paroled for a Month.

Miss Morris Told Him to Let School Children Alone, and He Replied with Strong Epithets.

SHE TOLD PRINCIPAL TOWNSEND

Both Went to Court—Smith's Father Ran for Supervisor, and Miss Morris Worked Against Him with Lamp Mat Dodgers.

Although Christopher Smith has been on earth scarcely thirteen years, he has successfully timbered an unconscionable amount of wickedness, according to some versions. Some say he is the worst boy of his age in Flatbush while others incline to the belief that he is more sinned against than sinning. His main idea of divilmentment has been, it is said, to insult and thump such youths of tender age as pretend to a higher standing of morality.

He has also been given to the use of profane and indecent language, according to sworn testimony. The evil predilections he has been cheerfully following for so long brought him up against the stern reality of a police court. He was arrested yesterday and brought before Justice Steers, in the Grant Street Station House, a proceeding which, incidentally, almost resulted in his death. The complainant who swore out the warrant was Principal Jeremiah Townsend, of Public School No. 50, on East Broadway, Flatbush. Christopher used to attend school there until his freedom from moral restraint brought about his summary dismissal.

Just after school had been dismissed Wednesday afternoon a crowd of boys assembled at the gate and amused themselves by throwing snowballs at the school children as they passed out. At the same time they threw a great noise that distracted everybody else within earshot of their strong-lunged efforts. Some of the children who had been disciplined by the misadventure were back and complained to Miss Morris, one of the teachers. The teacher raised the window of her class room, which was directly opposite the school, and ordered the boys to go away and to stop bothering the children. Thereupon young Smith, who appeared to be in the lead of the mob, stepped forward and said, with various uncomplimentary epithets. His choice of terms was so very objectionable, she declared, that she decided to have him effectively dealt with.

VIOLATED "ORDINANCE 675."

She told Principal Townsend of the occurrence, and they went around to the Grant Street Police Court and swore out a warrant for the arrest of the boy. Later on an officer arrested him at the home of his father, No. 64 Ennis street. He was taken to the police court and arraigned before Justice Steers on a charge of violating "Ordinance 675," relating to the use of profane and indecent language.

Christopher was visibly affected by the unexpected intervention of the law's strong arm. He howled dismally in court and made no protest against his arrest. The judge delivered a severe reprimand, put the case off for one month and paroled the boy in his father's custody. If Christopher behaves himself during the next thirty days the charge against him will not be pressed.

Miss Morris is the teacher who, just before the Christmas holidays, distributed lamp and table mats as gifts to her different pupils. They were very catchy affairs, but on the police side were not so complimentary. "Vote for George Waldo for Supervisor," this created a great deal of talk. Waldo was the Republican nominee, and was defeated. Miss Morris was afterwards cited to appear before the school board to explain the presentation of the mats. Her explanation to the effect that she knew nothing of the obnoxious advertisement, was not accepted by the members of the board and the charge of partisanship against her was dismissed.

PRINCIPAL TOWNSEND EXPLAINS.

It is not known whether the feeling engendered by this affair and anything to do with Christopher Smith's objection to the lady. Principal Townsend said yesterday that the boy had been expelled last year from the school because of his generally unruly conduct. He added that the rest was made only for the purpose of frightening the boy into better behavior, and that he had no intention of branding him as a criminal.

JURY ONLY GAVE HIM \$4,950.

Clark Won His Suit Against Yachtsman Thayer.

Charles Cooper Clark, who demanded \$27,750 from Bayard Thayer for injuries to himself and his yacht, "Admiral," in a collision with the Constellation on August 4, 1902, obtained a verdict for \$4,950 from a jury before Justice Bookstaver in the Supreme Court yesterday, after four days of testimony and argument.

Thayer's defense was that Clark had failed to observe the rules of the New York Yacht Club. Clark showed that the club rules conflicted with the United States statute, providing that a vessel in the wake of another must keep out of the other's way. Testimony proved that the "Admiral" was in the lead, and that consequently Clark was justified in colliding with Thayer's yacht. Justice Bookstaver gave Thayer sixty days in which to file an appeal to the Appellate Division.

CONTAGIOUS DISEASES GROW.

Big Increase in Scarlet Fever, Diphtheria and Measles.

There has been a big increase in the number of cases of scarlet fever, diphtheria and measles during the past few days. Dr. A. Blauvelt, acting chief of the Bureau of Contagious Diseases, says, however, that the record is not an unusual one, for this time of the year when houses are kept too tightly closed for proper ventilation. So far, none of the diseases has made it necessary to close any of the schools of the city.

There are now in the city 214 cases of scarlet fever, 284 cases of diphtheria, and 330 cases of measles. The last weekly report showed the following number of deaths from these diseases: Scarlet fever, 21; diphtheria, 40; measles, 22.

ONE KILLED, NINE INJURED.

Careless Handling of Dynamite by Pennsylvania Railroad Employes.

Lewistown, Pa., Jan. 23.—By the accidental explosion of dynamite at Rixlers, near Newport, Perry County, this morning, one man was instantly killed, one fatally injured, and eight others more or less seriously injured. The men were employed by the Pennsylvania Railroad Company and were at work on the road at that point. One man had some dynamite at a fire, having it out when, it is supposed, the best ignited it and caused the explosion.

The exact cause, however, will never be known, as the man who was handling the explosive, Lawrence Rixler, of McVeytown, had his limbs blown from his body, and died almost instantly. The other workmen who were injured were Italian, were taken on trains to Harrisburg and Altoona, where they were placed in hospitals.

Heavy Verdict Against a Railway.

Boston, Jan. 23.—The jury in the Superior Court today returned a \$14,000 verdict in the case for damages for injuries to Jennie Boulter, against the West End Street Railway Company.

WATER COMPANY BEATEN.

Jersey City's \$8,000,000 Contract Set Aside by the Court—Victory for the Taxpayers.

Trenton, N. J., Jan. 23.—Jersey City's \$8,000,000 contract with the Jersey City Water Company for a permanent supply of pure water was set aside this morning. Judge Van Syckel filing an opinion to that effect with the clerk of the Supreme Court. The case was heard in December last by Justices Van Syckel, Depue and Gummere.

The latter two concurred in the opinion filed by Justice Van Syckel. The principal ground for the decision is that the contract was not awarded to the lowest bidder under the specifications, the court holding that the fact that the Jersey City Water Company agreed to furnish a larger supply was not a justification for the award of the contract, because the specifications did not call for this larger supply, and the other bidders were not given an opportunity to bid.

The decision also holds that the legislative act of 1895 does not convey authority to condemn the water rights of the Morris & Essex Canal, as was proposed, for the purpose of furnishing Jersey City with a water supply. The power of the Legislature to grant such authority, however, is conceded.

The bids certified to the Supreme Court for review were: The Rockaway and Hudson Water Company, \$2,500,000; East Jersey Water Company, \$7,250,000; and Jersey City Water Company, \$7,950,000. The latter company, although the highest bidder, was rejected because it agreed to supply more water than was called for in the specifications. The other two bids were for the same amount of water, but the Rockaway and Hudson Water Company's bid was rejected because it offered to supply water from a polluted Passaic River water for drinking. The Jersey City Water Company's bid was rejected because it offered to supply water from a polluted Passaic River water for drinking. The Jersey City Water Company's bid was rejected because it offered to supply water from a polluted Passaic River water for drinking.

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CAME RIGHT FROM HEAVEN.

A Young Man Becomes Violently Insane on a Train.

Lyons, N. Y., Jan. 23.—"I came right from heaven, and my home is in the North Star," was a remark that startled passengers on the Fall Brook train just as it passed Watkins last night bound for this place.

A young man named Nelson Clark, of Walworth, Wayne County, made the remark, and followed it up by wild declarations. He had gone suddenly insane on religion, and immediately began to preach and beseech his hearers to accept of his religion. The young man was well educated, and apparently an intelligent fellow. When the train arrived here he had become so violent and noisy that the conductors and officers were obliged to remove him. Soon after being assigned a room a terrible commotion was heard. When parties went to the room they found him hurling the furniture and trying to smash the door open. When questioned he said the bed was the devil and he was chasing him out of the room. Officers were summoned and he was taken to the police station, where he was committed to the custody of the police. Clyde River Bridge he pointed to it and said:

"At the police station he was placed in a room, to which he tried to set fire. He twisted the gas fixture off, put a bundle of papers in it, and tried to light it. He was lying on the papers trying to light the gas when found. He was taken home by his father, Richard Clark. He came today from Lyons, Pa., where he had been visiting. His mother is in an asylum and his grandfather died insane."

THE NEW B. & O. PRESIDENT.

Rumors That Vice-President Robinson Has Refused an Offer.

Baltimore, Jan. 23.—There were two Baltimore & Ohio rumors flying around the Stock Exchange today. Excellent authority was quoted to the effect that Vice-President Robinson, of the Atchafalaya, Topeka & Santa Fe system, has been offered the presidency of the Baltimore & Ohio Railroad Company and has declined, the financial inducement not being in accordance with his ideas. It is said that the offer will be renewed.

The other rumor had to do with the recent weakness of Western Union shares in the New York market. It gave rise to a report that the Baltimore & Ohio Railroad Company is selling off its block of Western Union stock, which was acquired by the officials of the Baltimore & Ohio. The Baltimore & Ohio owns about 50,000 shares of Western Union stock, given in part payment for the Baltimore & Ohio telegraph system.

BAR IGNORANT IMMIGRANTS.

Stricter Laws Urged by Prominent Men Before the House Committee.

Washington, Jan. 23.—P. E. Hall, R. T. Paine, Jr., J. F. Moore, Professor D. R. Dewey and Dr. De C. Ward, of Boston, members of the Immigration Restriction League, to-day appeared before the House Committee on Immigration and Naturalization in support of the bill of Mr. McCall, of Massachusetts, amending the immigration laws by adding to the classes of aliens excluded "all persons between fourteen and sixty years of age who cannot both read and write the English language, or some other language."

The advocates of a stricter regulation of immigration, but not the exclusion of any immigrants whose character and standards fit them to become citizens. They favored the bill because it would not restrict immigration. The time had now come, they contended, when legislation should be enacted which would go further than merely keep out those who were mentally and physically unsound, the criminals and paupers.

PRACTICES AT DANNEMORA.

Strange Tales Told by Witnesses in the Lathrop Investigation.

Albany, N. Y., Jan. 23.—The investigation into the charges preferred against Superintendent of State Prisons Lathrop was resumed before Commissioner Brown in Albany to-day.

Several witnesses testified to the liberties allowed prisoners by Warden Thayer, of Dannemora, but some of these witnesses were not given credit by the Commissioner from the State's employ for cause. One boy had made a practice of robbing on human beings, and another had been discharged after he had smuggled in whiskey to the prisoners.

The hearing was adjourned until to-morrow.

Must Pay for the Wrecked Goods.

Lombard, Ariz., & Co. must pay \$12,000 to Joseph L. Leckamp & Co. of Mobile, for goods lost in the wreck of the steamer Vesper, eight years ago, according to the verdict of a Supreme Court jury. Lawyers R. O. Deming and Joseph D. Deming, of the plaintiff, recovered the full amount demanded, with costs.

First Law of the Session.

Albany, Jan. 23.—The first law of the present session was signed to-day. It was Senator Lowry's bill to enable the village of Gosden to hold itself for an additional water supply.

WHEEL BROKE HIS NECK.

Henry Ungerland, Keeper of a Livery Stable in Sheepshead Bay, Run Over and Killed.

Henry Ungerland, an old resident of Sheepshead Bay, met with a horrible death yesterday. He left his livery stable, on Sheepshead Bay road, to get a load of hay at the foot of Twenty-fifth street, South Brooklyn.

His wagon was loaded and Ungerland prepared for his trip homeward. In trying to climb upon the load he slipped and fell lengthwise, with his head between the fore and rear wheels. The horses started, and the rear wheel passed over his neck. The horses jogged on for some distance from the spot before Ungerland was discovered by some workmen.

A glance showed them that he was dead, the wheel having broken his neck. The body was removed to the home of friends at No. 47 Rockwell place. Mr. Ungerland was fifty years old and lived in Sheepshead Bay, near Voorhes avenue. He kept an extensive livery stable and owned property there and at Patchen avenue and Fulton street. He leaves a wife and three children.

He was well known to frequenters of the race tracks, thousands of whom he carried over his stage lines.

KNIGHTS LOSE THE TAILORS.

Brotherhood Membership Increased by Philadelphia Affiliations.

Four thousand tailors in Philadelphia belonging to the Knights of Labor are preparing to leave the order and join the Brotherhood of Tailors, which is affiliated with the American Federation of Labor.

This is the beginning of a movement to get all the tailors of the Eastern cities into one body, to be prepared for united action in case of a possible conflict with the employers in the summer.

Herman Robinson, secretary of the Executive Committee of the Brotherhood of Tailors, returned to this city from Philadelphia yesterday after a consultation with the leaders of the Knights of Labor assemblies of tailors. He had gone there on the invitation of the Joint Executive Committee of five local unions of tailors. These meetings were also attended by committees from the Knights of Labor tailors in Baltimore.

"All these locals," he said yesterday afternoon, "have practically decided to join the Brotherhood. Only the necessary formalities of officially severing their connection with the Knights has to be gone through. The movement to consolidate the organized tailors in the East who work under the contract system in one body is progressing very fast."

Secretary White, of the United Garment Workers, said it would only be a question of time when all the tailors on the East Side would be organized into the Brotherhood. It was seen to be a necessity and would make the Brotherhood one of the largest bodies of organized tailors in the world.

MCDONALD MAY GO FREE.

Rumor That the Court Clerk's Sentence Will Be Suspended.

It was rumored around the District Attorney's office yesterday that the prosecution against Theodore F. McDonald, the defaulting clerk of the Court of Special Sessions, will be dropped. It is said that overtures have been made to District Attorney Fellows to induce him to recommend that in the event of McDonald pleading guilty to the indictment he be allowed to go on a suspended sentence. A few days ago McDonald, through his counsel, entered a plea of not guilty with the privilege of withdrawing it and substituting another.

This plea, with the proviso, together with the fact that his friends paid the amount of his shortage on Wednesday, gives cause to the rumor. It is also said that since he has made good the amount of his deficiency the justices of the court of Special Sessions have allowed their minds to be used in the plea for leniency. McDonald will probably be arraigned before Judge Cowling in Part I. of the General Sessions to-day.

MATINEE OF STAGE PUPILS.

Embryonic Bernhardt and Booths at the Empire Theatre.

The first of the annual series of exhibition matinees by pupils of the Empire Theatre Dramatic School was given yesterday afternoon at that theatre under the direction of Nelson Wheatcroft. Three original plays were presented, entitled, "A Rainy Day," by Frances R. Johnson; "The Awakening," by Beatrice Sturges; and "The Game of Three," by Alexander H. Ludlow, Jr.

The students, with few exceptions, acquitted themselves very creditably, and the plays called for no great effort in the way of dramatic declamation, they showed evidence of being capable of greater things. Mr. Wheatcroft has arranged for his pupils to appear at benefits for charity in the near future.

PIANO-VIOLIN RECITAL.

A joint piano-violin recital was given at Mendelssohn Glee Club Hall yesterday afternoon by Antoinette Szumowska and Franz Ondrick. The recital was specially attractive because of Miss Szumowska's success at her first recital a week ago and of Mr. Ondrick's recent triumph in Boston. The programme began with a sonata by Chopin, by Beethoven, arranged for piano and violin. The fair pianist played with her accustomed brilliancy, and Mr. Ondrick's mastery manipulation of the violin aroused great enthusiasm. Classical selections by both soloists followed. Miss Szumowska's greatest hit was a minuet by Tchaikowski, and Mr. Ondrick's rendition of Paganini's "Witch Dance" won him the most applause.

Amusement Notes.

The Parkinses, eccentric dancers, from Europe, have been engaged for Proctor's Pleasure Palace. They comprise two men and two women. During a dance, the men vanish and reappear as gigantic human heads, with eyes that roll, ears and lips that move, and features capable of expressing curious emotions.

Manager Frank Cutler is negotiating for a theatre in this city in which to produce